

Rex W. McQuaide

Attorney at Law



Rex W. McQuaide

Thomas W. Cartwright

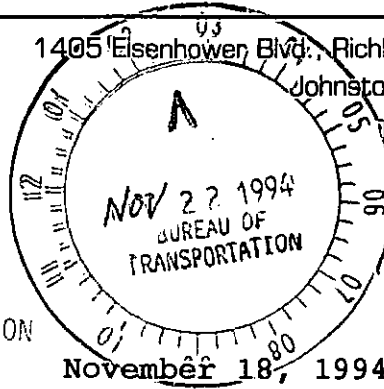
C. Susan Mankamyer

1405 Eisenhower Blvd., Richland Square I - Suite 200
Johnstown, Pennsylvania 15904
Telephone (814) 266-2070
Fax (814) 266-5108

RECEIVED

NOV 21 1994

PUBLIC UTILITY COMMISSION
SECRETARYS BUREAU



Office of the Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: Tri-County Transportation Inc.
t/d/b/a Happy Times Charter, Inc.
A-00107235, Folder 1
Protest of MCILWAIN CHARTERS, INC.

Dear Secretary:

On behalf of McIlwain Charters, Inc., I enclose herewith the original and two (2) copies of a Protest to the above-captioned application. Copies are being forwarded to the Applicant, the attorney for the applicant, and to the Protestant.

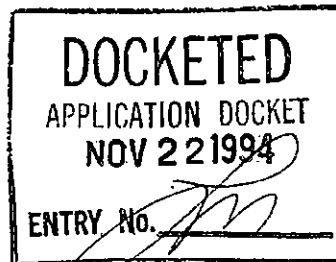
Very truly yours,

Rex W. McQuaide
Attorney at Law

RWM:sas
Enclosures

cc: Douglas McIlwain, McIlwain Charters, Inc.
Tri-County Transportation, Inc.
Lawrence L. Davis, Esquire

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NOV 21 1994

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

PUBLIC UTILITY COMMISSION
SECRETARYS BUREAU

A-00107235

Tri-County Transportation, Inc., t/d/b/a Happy Times Charter, Inc. (404 19th Street, P.O. Box 13, Barnesboro, Cambria County, Pennsylvania 15714), a corporation of the Commonwealth of Pennsylvania -- for the removal of the following conditions from its operating authority at A-00107235, Folder 1, Am-B. The conditions reads as follows: (1) that the service herein authorized is limited to transportation in vehicles having a seating capacity not to exceed 15 persons, including the driver and (2) that no right, power or privilege is granted to provide transportation in school buses.

Applicant's Attorney:

Lawrence L. Davis
103 South Center Street
Ebensburg, Pennsylvania 15931

Pennsylvania Bulletin Reference: Vo. 24, No. 46, Page 5703
November 12, 1994

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
NOV 22 1994
ENTRY No. <i>[Signature]</i>

PROTEST OF
MCILWAIN CHARTERS, INC.
A. 00105412

AND NOW COMES MCILWAIN CHARTERS, INC., and protests this application representing as follows:

1. The name, address and telephone number of Protestant is:

MCILWAIN CHARTERS, INC.
1559 Ferndale Avenue
Johnstown, Pennsylvania 15905
(814) 288-1594

2. The name, address and telephone number of Protestant's attorney is:

REX W. MCQUAIDE, ESQUIRE
1405 Eisenhower Boulevard
Richland Square I, Suite 200
Johnstown, Pennsylvania 15904
(814) 266-2070

3. Protestant possesses authority at A. 00105412, Folder 1, Am-A and Am-B, a copy of which is attached as Exhibit A, which permits service between various points within the proposed application area as filed by this Applicant, and as such, Protestant can provide some of the service sought by Applicant.

4. Protestant has pending before this Commission an application docketed to A.105412, F.1, Am-C, a copy of which is attached as Exhibit "B", which is now unprotested, and if granted, will result in Protestant possessing authority for group and party service between all points in Cambria County, and as such,

Protestant will be able to provide all of the service proposed by this Applicant.

5. Protestant is adversely affected by this application, as it would tend to divert revenues and traffic from MCILWAIN CHARTERS, INC., causing an adverse impact upon the Protestant contrary to the public interest.

6. Protestant challenges the fitness of the Applicant and also challenges the need for the proposed service.

7. Protestant performs an adequate and satisfactory service within the scope of its authority, and, absent knowledge as to whom, if anyone, supports this application, is unable to submit a meaningful traffic exhibit.

8. Protestant knows of no amendment which will satisfy its interest, but is willing to discuss the matter with Applicant or its representative.

9. Pursuant to Section 333 (c) of the Public Utility Code, demand is made upon Applicant to furnish Protestant's Counsel with a list of the names and addresses of the witnesses it intends to call, and a brief summary of their proposed testimony and, in particular, complaints, if any, against the services of the Protestant.


10. The application, as advertised in the Pennsylvania Bulletin, is incomplete in that the said published Notice does not contain a description of the applicant's operating authority which is the subject of the proposed amendment. Improper Notice adversely affects the public interest in these proceedings. Accordingly, Protestant prays that this application be held in

abeyance until such time that the application is re-advertised in the Pennsylvania Bulletin.

WHEREFORE, MCILWAIN CHARTERS, INC. respectfully prays that this application be dismissed,

AND IT WILL EVER PRAY.

MCILWAIN CHARTERS, INC.

By: 
REX W. MCQUAIDE, ESQUIRE
Attorney for Protestant

November 18, 1994

(Attachments: Exhibit A and Exhibit B)

A. 00105412
Folder 1, Am-A

To transport, as a common carrier, groups and parties or persons, between points in Somerset County, and from points in said county, to points in Pennsylvania, and return.

To transport, as a common carrier, groups and parties of persons, between points in the city of Johnstown, the boroughs of Brownstown, Daisytown, Dale, East Conemaugh, Ehrenfeld, Ferndale, Franklin, Geistown, Lorain, Nanty Glo, Scalp Level, South Fork, Southmont, Vintondale and Westmont, and the Townships of Adams, Blacklick, Conemaugh, East Taylor, Jackson, Lower Yoder, Middle Taylor, Middle Yoder, Richland, Stoneycreek, Upper Yoder and West Taylor located in the County of Cambria, and from points in said City, Townships and Boroughs, to other points in Pennsylvania, and return.

A. 00105412
Folder 1, Am-B

To transport, as a common carrier, groups and parties of persons between points in that portions of Cambria County on and South of the Northern boundaries of the Townships of Blacklick, Cambria, Munster, and Cresson (except for the Borough of Ebensburg); the Townships of East Wheatfield and West Wheatfield, Indiana County; and the Boroughs of Bolivar, New Florence, and Seward, and the Township of St. Clair, Westmoreland County; and from points in said territory to points in Pennsylvania, and return.

EXHIBIT A

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of McIlwain Charters, Inc.
A-00105412, F.1, AM-C

RESTRICTIVE AMENDMENT

AND NOW, comes the Applicant, McILWAIN CHARTERS, INC., and restrictively amends the above-referenced application as follows:

The transportation of persons, in group and party service, between points in the counties of Cambria and Indiana, and from points in said counties, to points in Pennsylvania, and return.

The transportation of persons in group and party service, from all points within the Borough of Ligonier, Westmoreland County and all points within ten (10) miles of the limits of said Borough and from said territory to points in Pennsylvania and return.

Provided that, no right, power or privilege is granted to provide transportation as follows:

- (1) from points in the Townships of Unity or Derry located in Westmoreland County;
- (2) from points in the Boroughs of Latrobe, Laughlintown, Youngstown or Derry located in Westmoreland County;
- (3) from points in the Borough of Plumville in Indiana County;
- (4) from the campuses of Indiana University of Pennsylvania located in the Borough of Indiana and the Township of White, Indiana County; and

(5) for ABC Travel, Inc., located in Westmoreland County.

Respectfully submitted,

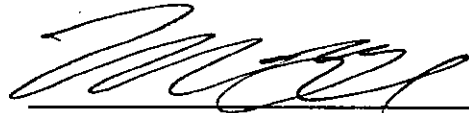
DATED: 10-31-94



Rex W. McQuaide
Attorney for McIlwain
Charters, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have, this day, served a copy of the foregoing document upon Tri-County Transportation, Inc., t/d/b/a Happy Times Charter, Inc., 404 19th Street, P.O. Box 13, Barnesboro, Cambria County, Pennsylvania 15714, and upon Applicant's Attorney, Lawrence L. Davis, 103 South Center Street, Ebensburg, Pennsylvania 15931.



REX W. MCQUAIDE, ESQUIRE
Attorney for Protestant

Johnstown, Pennsylvania
November 18, 1994

rw

LAW OFFICES

VUONO, LAVELLE & GRAY

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

JOHN A. VUONO
WILLIAM J. LAVELLE
WILLIAM A. GRAY
MARK T. VUONO *
RICHARD R. WILSON
DENNIS J. KUSTURISS
CHRISTINE M. DOLFI
PETER J. SCANLON



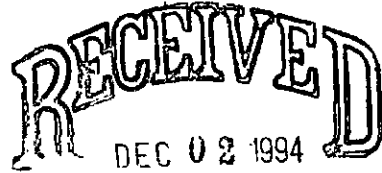
December 2, 1994

* ALSO MEMBER OF FLORIDA BAR

Re: Tri-County Transportation, Inc.
t/d/b/a Happy Times Charter, Inc.
Docket No. A-00107235, F. 1, Am-C

MAILED WITH U. S. POSTAL SERVICE
CERTIFICATE OF MAILING FORM 3817

Mr. John G. Alford
Secretary
Pennsylvania Public Utility Commission
North Office Building
P.O. Box 3265
Harrisburg, PA 17105-3265



SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Alford:

We enclose for filing with the Commission the signed original of a protest to the above application.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO, LAVELLE & GRAY

William A. Gray
William A. Gray

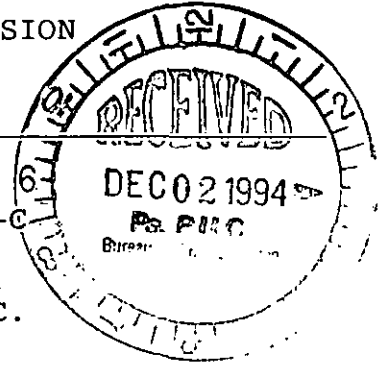
rm

Enclosure

cc: Lawrence L. Davis, Esq. (w/enc.) (by Certified Mail)
Blue and White Lines, Inc.
Lincoln Coach Lines, Inc.

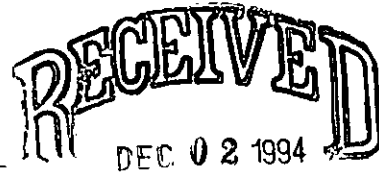
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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION



DOCKET NO. A-00107235, F. 1, Am-C
TRI-COUNTY TRANSPORTATION, INC.
t/d/b/a HAPPY TIMES CHARTER, INC.

PROTEST AND REQUEST
FOR ORAL HEARING



SECRETARY'S OFFICE
Public Utility Commission

The motor carriers shown on Appendix A hereof (herein called protestants) protest the above application and request that the application be assigned for oral hearing and in support thereof respectfully represent as follows:

1. By this application, notice of which has been published in the Pennsylvania Bulletin, applicant seeks authority as set forth in Appendix A.

2. Protestants hold authority from this Commission at the docket numbers shown in Appendix A and the relevant portions of the authority are attached to the protest. Unless otherwise indicated in Appendix A, protestants will withdraw the protest only in the event an amendment is made which will totally eliminate the conflict between the authority sought by the application and the authority presently held by protestants.

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
DEC 04 1994
ENTRY No.

3. Approval of this application is neither necessary nor proper for the service, accommodation, safety or convenience of the public since (a) protestants presently hold authority to provide service in the area affected by the application, (b) protestants and other existing carriers are providing adequate service to the shipping public in the areas involved in the application, (c) there is no need for the service proposed by applicant and approval of the application will result in the diversion from existing carriers of tonnage and revenue necessary to sustain their existing operations, and (d) approval of the application will adversely affect protestants and other existing carriers which have a substantial investment in facilities and equipment and are willing and able to provide service in the application area.


4. Protestants request that the application be set for oral hearing and that applicant be required to prove by competent evidence the elements of proof required by statute. If an oral hearing is held, protestants will appear and present evidence of protestants' own operations and particular interests unless this application is amended so as to eliminate those interests as set forth in this protest.

WHEREFORE, protestants request that the granting of the application be withheld; the proceeding be assigned for oral hearing with leave to protestants to participate fully therein;

and applicant be required to make available at the hearing competent witnesses for examination on all material and relevant facts bearing on the application.

Respectfully submitted,

BLUE AND WHITE LINES, INC.
LINCOLN COACH LINES, INC.

By: 
William A. Gray
Attorney for Protestants

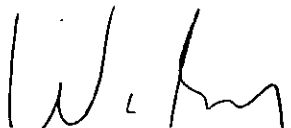
VUONO, LAVELLE & GRAY
2310 Grant Building
Pittsburgh, PA 15219
(412) 471-1800
Of Counsel

Dated: December 2, 1994

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the above protest and request for oral hearing upon applicant or upon applicant's attorney or representative as shown in the Pennsylvania Bulletin notice.

Dated at Pittsburgh, Pa. this 2nd day of December, 1994.


William A. Gray

Re: Tri-County Transportation, Inc.
t/d/b/a Happy Times Charter, Inc.
Docket No. A-00107235, F. 1, Am-C

APPENDIX A

SCOPE OF AUTHORITY SOUGHT:

By application published in the Pennsylvania Bulletin on November 12, 1994 applicant seeks authority for the removal of the following conditions from its operating authority at A-00107235, Folder 1, Am-B. The conditions read as follows:

(1) that the service herein authorized is limited to transportation in vehicles having a seating capacity not to exceed 15 persons, including the driver and (2) that no right, power or privilege is granted to provide transportation in school buses.

INTEREST OF PROTESTANTS:

1. Blue and White Lines, Inc., 1001 S. 1st Street, Altoona, PA 16602, (814) 944-2585, holds authority at Docket No. A-23990. A summary of the authority of Blue and White is attached hereto as Appendix 1. The relevant authority of Blue and White is at F. 4, Am-E; F. 4, Am-G, F. 4, Am-H; and F. 12.

2. Lincoln Coach Lines, Inc., 12681 Route 30, North Huntingdon, PA 15642, (412) 271-9365, holds authority at Docket No. A-70883. A summary of the authority of Lincoln is attached hereto as Appendix 2. The relevant authority of Lincoln Coach Lines is F. 4, Am-M.

PENNSYLVANIA INTRASTATE SCOPE OF OPERATIONS

Certificate No. A-23990, Folder 4, Am-E:

To transport, as a common carrier, groups and parties of persons between points in the County of Blair and from points in the said county to points in Pennsylvania.
 To transport, as a common carrier, groups and parties of persons from the Borough of Gettysburg, Cresson, Lilly, Portage, Wilmore and Summerhill, Cambria County, and Bedford and Everett, Bedford County, to other points in Pennsylvania.

Certificate No. A-23990, Folder 4, Am-G:

To transport, as a common carrier, groups and parties of persons on special excursions or sightseeing tours from points in the City of Johnstown and the Borough of Franklin, Pennsylvania, to points and places in Pennsylvania, excluding the right to transport to Dauphin and Philadelphia Counties.

Certificate No. A-23990, Folder 12:

To transport, as a common carrier, groups and parties of persons from Altoona, Blair County; and Ashville, Bakerton, Barnesboro, Carrolltown, Chest Springs, Colver, Cresson, Ebensburg, Frugality, Hastings, Loretto, Patton, Revloc, St. Benedict, St. Bonifacius, Spangler and Eneigh, Cambria County, to points in Pennsylvania.

Certificate No. A-23990, Folder 12, Am-A:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the County of Huntingdon, the Boroughs of Saxton, Hopewell, and Coaldale and the Township of Broad Top, Bedford County, and the Borough of McConnellsburg and the Village of Burnt Cabins, Fulton County, to points in Pennsylvania.

Certificate No. A-23990, Folder 12, Am-B:

To transport, as a common carrier, groups, parties of persons, and persons on special excursions and tours or sightseeing trips from the Boroughs of Blairsville and Homes City; the Villages of Graceton, Black Lick, Josephine and Coral, Indiana County, and points in the Township of Burrell, Indiana County, to points in Pennsylvania.

Certificate No. A-23990, Folder 12, Am-C:

To transport as a common carrier, group and parties of persons and special excursions and tours or sightseeing trips from points in the County of Allegheny, to points in Pennsylvania except to points in Allegheny County; and groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the County of Franklin to points in Pennsylvania, subject to the following:

1. Provided that no right, power or privilege is granted to transport groups and parties of persons (but not including persons on special excursions or tours or sightseeing trips) from points in Allegheny County to points within an airline distance of 40 statute miles of the City-County Building in the city of Pittsburgh, Allegheny County;
2. Provided that no right, power or privilege is granted:
 - A. To perform transportation from points in that part of Allegheny County north of the Allegheny and Ohio Rivers and west of Pennsylvania Highway B (except points in the City of Pittsburgh);
 - B. To perform transportation from the Greater Pittsburgh International Airport in the townships of Moon and Findlay; the boroughs of Bridgeville, Carnegie and Greentree and the township of Upper St. Clair.
3. Provided that no right, power or privilege is granted to perform transportation from points in that part of Allegheny County (except the City of Pittsburgh) located south of the Monongahela River, east of U.S. Highway Route 19 (including points on U.S. Highway Route 19 in Mount Lebanon and Dormont), and west of Pa. Highway Route 885, and points within an airline distance of nine (9) statute miles of the limits of the borough of Charleroi, Washington County.

*Certificate No. A-23990, Folder 12, Am-D:

To transport, as a common carrier, groups and parties of persons, from the County of Clearfield, to points in Pennsylvania.

Except as otherwise specifically provided herein, Charges, Rules and Regulations governing Pennsylvania Intrastate Charter Coach Movements are as published in Pennsylvania Area Charter Coach Tariff, Group or party Pa.P.U.C. No. 179, amendments thereto or reissues thereof, issued by National Bus Traffic Association, Inc., Agent.

* - Denotes addition.

Δ - Denotes change, the result of which is neither an increase nor a reduction.

All due assessments have been paid by both transferor and transferee.

Applicant is presently certified by the Interstate Commerce Commission at MC-46614 and various subs.

FINDINGS

Applicant appears to be financially fit to operate as a common carrier. Further, it appears the transferor's certificate is in good standing and therefore subject to being transferred. (Incorporated in the rights proposed for transfer are updated Route numbers furnished by applicant's attorney after consultation with the Pennsylvania Department of Transportation).

Applicant was incorporated as Blue and White Lines on December 22, 1931; the subscribers were Al Fullington, Richard Fullington, Roy Fullington, L. N. Long, and Raymond R. Long. It assumed its present name on January 14, 1965.

Having reviewed the proceedings involved herein, we find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary; THEREFORE,

Order of 11/1/77

IT IS ORDERED: That the application filed by Blue and White Lines, Inc., a corporation of the Commonwealth of Pennsylvania, at A. 23990, F.4, Am-H, be approved and that the report and order of April 30, 1935 and the certificate issued pursuant thereto, as modified and amended, be further modified and amended to include the following rights:

A. 23990, F.4, Am-t

To transport, as a common carrier, groups and parties of persons and persons on excursions and tours, or sightseeing trips, from Windber, Johnstown, Brownstown, Conemaugh, South Fork, Summerhill, Ebensburg, Vintondale, Twin Rocks, Nanty Glo, Park Hill, Wesley Chapel, Mineral Point, Brookdale, Echo, Geistown, Stutzman School House, in Upper Yoder Township, Ferndale, Walsall in the Township of Richland, Westmont, Menoher Highway, Elk Run Dam, Kelso, Belmont, Mine 37, Moxham, Daisytown, Parkstown, and Rummel, to points and places in Pennsylvania.
(Formerly A. 34531, Folder 3)

To transport, as a common carrier, groups and parties of persons and persons on excursions and tours, or sightseeing trips, from any point on the following routes between the city of Johnstown, Cambria County, and the termini of said routes: (Formerly A. 34531, Folder 3)

1. Johnstown-Windber Route: Beginning at the corner of Main and Market Streets, in the city of Johnstown, thence via public highway through Dale Borough to Geistown, thence via Legislative Route No. 222 and Highway Route No. 56 to the borough of Windber, and return via same route to the place of beginning, and over the following alternate route: Beginning at the terminus in the city of Johnstown, thence via Moxham and Lorain to Geistown.
2. Johnstown-Brownstown Route: Beginning at the corner of Front and McConaughey Streets, in the city of Johnstown, thence down McConaughey Street to Second Avenue, to Broad Street, to Sixth Street, to the Brownstown Bridge over the Pennsylvania Railroad, to Gilbert Street, thence through the borough of Brownstown to Habicht Street to George Street, to North Street, to Catharine Street, thence by Habicht Street back over the same route to the corner of Front and McConaughey Streets, in the city of Johnstown.
3. Main and Franklin Streets-Middle Avenue and City Line Route: Beginning at the intersection of Main and Franklin Streets, thence to the intersection of Middle Avenue and City Line, in the city of Johnstown, Cambria County.
4. Johnstown-South Fork Route: Beginning at the intersection of Main and Franklin Streets, in the city of Johnstown, thence via various streets in the said city to Highway Route 53, thence via Highway Route 53, through Cover Hall and Parkstown, to Lambs Bridge, thence via Highway Route 869 to St. Michael, thence via Lambs Bridge and Highway Route 53 to South Fork.
5. Johnstown-Ebensburg-Vintondale Route: Beginning at the intersection of Main and Franklin Streets, in the city of Johnstown, thence via Middle Avenue, in the said city, and Highway Route 271, through Prospect, Headricks Cemetery, Goods Corner and Vinco, to Mundy's Corner, thence via Highway Route 22 to Ebensburg, and over the following spur route: Beginning at Mundy's Corner, thence via Highway Route 271 to Nanty-Glo, thence via Highway Route 271 to Twin Rocks, thence via Legislative Highway Route 11094 to Vintondale, and over the following alternate route: Beginning at the terminus in the city of Johnstown, thence via various streets in the said city and Highway Route 271 through Franklin and East Conemaugh to Goods Corner, and over the following spur routes: Beginning at a point near Goods Corner, known as Knavel School, thence via an unnumbered Highway Route to Park Hill; Beginning at Wesley Chapel, thence via Legislative Route 11021 to Mineral Point, thence to Brookdale and Echo; Beginning at the

intersection of Legislative Route 222 and Highway Route 756 in the borough of Geistown, thence along Highway Route 756 through the borough of Geistown to the intersection of Highway Routes 756 and 11004, thence via Highway Route 11004 through the borough of Geistown and Richland Township to the intersection of Highway Routes 11004 and 11307 at a point known as Arbutus Park and return via same route; Beginning at the intersection of Legislative Route No. 222 and Highway Route No. 11009 in the borough of Geistown, thence along Highway Route No. 11009 through the borough of Geistown and Richland Township to the intersection of Highway Routes Nos. 11009 and 11317 and return via same route; from the Johnstown-Windber Route to the terminus of the Johnstown-Windber Lines from the present intersection of Graham Avenue (Legislative Route No. 222) and Village Street in the borough of Windber to the village of Rummel, Somerset County; beginning at the intersection of Highway Routes Nos. 11009 and 11317 in the township of Richland, Cambria County; thence via Highway Route No. 11009 to the intersection of Highway Route No. 11005; thence via Highway Route No. 11005 to the intersection of Highway Route No. 11317; thence via Highway Route No. 11317 to the places of beginning; between the village of Church Grove School and borough of Scalp Level, Cambria County, beginning at the intersection of Legislative Route 222 and Highway Route 11001, thence via Highway Route 11001 to the borough of Scalp Level; Beginning at the intersection of Legislative Route 222 and Highway Route 756 in the borough of Geistown, thence via Highway Route 756 through the borough of Geistown to the intersection of Highway Route 11004, thence via Highway Route 11004 through the borough of Geistown and the township of Richland to the intersection of Highway Route 11307, thence via Highway Route 11307 to the intersection of Highway Route 11310, thence via Highway Route 11310 to the intersection of Highway Route 756, thence via Highway Route 756 to the intersection of Legislative Route 222 at the center of the borough of Geistown; Beginning at the intersection of Second and Oak Streets in the borough of East Conemaugh, thence via New Highway Route 52 to a point where said new highway route connects with old Highway Route 52 in the township of East Taylor, Cambria County; beginning at Main and Franklin Streets in the city of Johnstown, Cambria County, thence via Highway Route 56 to its intersection with Highway Route 11012, thence via Highway Route 11012 to its intersection with Highway Route 53; Beginning at the intersection of State Highway Traffic Route 53 and State Highway Legislative Route 11091, thence on State Highway Legislative Route 11091 to its intersection with Township Route 334 at the Johnstown Municipal Airport, thence on Township Route 334 to its intersection with State Legislative Route 11012, and returning over the same route, all in

Richland Township, Cambria County; between the village of St. Michael, Adams Township, and the Adams Township High School: Beginning at the present terminus on State Highway Traffic Route 869 in the village of St. Michael, Adams Township, thence on State Highway Traffic Route 869 to the Adams Township High School, and returning over the same route to the place of beginning, all in Cambria County; between the city of Johnstown and the Stutzman School House in the township of Upper Yoder, Cambria County, over the following route: Beginning at the intersection of Main and Market Streets in the city of Johnstown, thence via Main Street to Franklin Street, thence via Franklin Street to a point on Franklin Street in the borough of Ferndale and continuing along Franklin Street to its intersection with Highway Route No. 11007, thence via Highway Route No. 11007, thence via Highway Route No. 11007 to the borough of Southmont and the intersection of Highway Routes Nos. 11007 and 11011, thence via Highway Route No. 11011 and the borough of Westmont to a point on the Menoher Highway known as the Stutzman School and return via same route to the place of beginning; Beginning at the corner of Main and Franklin Streets in the city of Johnstown; thence by Main Street to Johns Street; thence by Johns Street to Cambria Incline Plane; thence by Incline Plane to Edgehill Drive, Westmont Borough; thence by the following streets in said borough; Edgehill Drive to Clarion Street; Clarion Street to Second Avenue; Second Avenue to Luzerne Street; Luzerne Street to Tenth Avenue; thence by Luzerne Street in Southmont Borough, to Menoher Highway, State Route 11011S; thence by Menoher Highway, State Routes 11011S and 11011 through Southmont and Westmont Boroughs, to a point on Route 11011 known as Dr. Boyer Corner, returning over the same route to Johns Street in the city of Johnstown and thence by the following streets in said city: Johns Street to Conemaugh Street; Conemaugh Street to Washington Street; Washington Street to Franklin Street and Franklin Street to the corner of Main Street; Beginning at the terminus in the borough of Westmont, Cambria County, on Highway Route 11011, known as Dr. Boyer's Corner, thence via Highway Route 11006, through Westmont Borough and Upper Yoder Township, to the intersection of Highway Route 11006 and 11068, known as Keafer's Corner, returning via the same route; Beginning at the intersection of Main Street and Franklin Street in the city of Johnstown; thence on Franklin Street to Somerset Street; thence on Somerset Street to Grant Street; thence on Grant Street to State Highway Legislative Route 11011 in Southmont Borough; thence on State Highway Legislative Route 11011 to Menoher Highway in Westmont Borough; thence on Menoher Highway in said borough

to Luzerne Street, and returning over the same route; Beginning at the intersection of Main Street and Market Street in the city of Johnstown; thence east on Main Street to Bedford Street; thence southeast and east on Bedford Street through the said city and borough of Dale to the city-Stonycreek Township line; thence returning over the same route to the place of beginning; Spur Route: Beginning at the intersection of Bedford Street and Buck Avenue in the city of Johnstown; thence north on Buck Avenue to Solomon Street; thence east on Solomon Street to the city line; thence continuing on Solomon Street and Solomon Run Road to Shaffer's Dam in the township of Stonycreek; thence returning over the same route to the place of beginning.

To transport, as a common carrier, groups and parties of persons from Prince Gallitzin State Park, located in the townships of White and Chest, Cambria County, to points in Pennsylvania; (Formerly A. 34531, Folder 3)

subject to the following conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the operating authority granted herein to the extent that it duplicates any operating authority now held by applicant shall not be construed as conferring more than one operating right.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 29, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

LIST OF CHANGE MADE BY THIS TARIFF

The additional authority as authorized by Certificate No. A-70893, Folder 4, Am-N, has been added.

APPLICATION OF TARIFF:

This Tariff applies to the transportation of Passengers and their Baggage in Charter Operations from "Places of Origin" Lincoln Coach Lines is authorized to serve within the State of Pennsylvania.

OTHER RULES, REGULATIONS AND CHARGES:

Except as specifically provided herein, this Tariff is subject to the Rules, Regulations and Charges published in Pennsylvania Area Charter Coach Tariff, Group or party Pa.P.U.C. No. 179, amendments thereto or reissues thereof, issued by National Bus Traffic Association, Inc., Agent.

SCOPE OF OPERATIONSFOLDER 4:

To transport, as a common carrier, groups or parties of persons from Irwin, Westmoreland City, Shafton, Jacksonville, North Irwin, Circleville, Stewartville, Sheridan Terrace, Straw Pump, Larimer, Hanntown, Fairmont, Mannor and Jeanette, Westmoreland County, and East McKeesport, Allegheny County, to various points and places in the Commonwealth of Pennsylvania.

FOLDER 4, Am-B:

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points on the following described routes and within five (5) miles thereof to points in Pennsylvania beyond a fifty (50) mile radius of the point of origin:

- (a) U.S. Highway Route 30 in Westmoreland County;
- (b) U.S. Highway Route 30 in Allegheny County between the Westmoreland County Line and its intersection with U.S. Highway Route 22 east of the city of Pittsburgh; provided that no right, power or privilege is granted to transport groups and parties of persons and persons on special excursions and tours or sightseeing trips from cities, boroughs or townships north of or traversed by U.S. Highway Route 22, from the city of Pittsburgh, Allegheny County, and from points south or west of the Monongahela River.

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the following points: The city of Greensburg, the boroughs of Latrobe and Ligonier and Saint Vincent College, all in Westmoreland County, to points more than fifty (50) miles from the point of origin and from the borough of Irwin, Westmoreland County, to any point of destination in the Commonwealth of Pennsylvania to which the Pennsylvania Railroad Company or that portion of the Greyhound Corporation formerly operated by Pennsylvania Greyhound Lines, Inc., is furnishing regular passenger train service or scheduled passenger motor bus service.

FOLDER 4, Am-C:

To transport, as a common carrier by motor vehicle, groups and parties of persons from the borough of Irwin and the township of North Huntingdon, Westmoreland County, to points within twenty-five (25) miles of the point of origin.

FOLDER 4, Am-D:

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from Bakerstown, Etha, Millvale, the townships of Hampton, Reserve and Snaler, and the city of Pittsburgh, Allegheny County, and the city of Butler, Butler County, to points in Pennsylvania; excluding the right to transport groups and parties of persons from points in the city of Pittsburgh to points within a radius of twenty-five (25) miles of the City-County Building in said city.

FOLDER 4, Am-E:

To transport, as a common carrier, groups and parties of persons on special excursions and tours or sightseeing trips from points in the township of Richland, Allegheny County, and points in that portion of Allegheny County bounded on the north by the Allegheny River, on the west by the eastern boundary of the city of Pittsburgh, and on the south by the Monongahela and Youghiogheny Rivers, to points in Pennsylvania.

and subject to the following condition:

That no right, power or privilege is granted to transport groups and parties of persons and persons on special excursions and tours or sightseeing trips between points in Allegheny County, except as presently authorized.

SCOPE OF OPERATIONS (Continued)FOLDER 4, Am-F:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the City of Greensburg, the Borough of Penn. and the Township of North Huntingdon, Westmoreland County, to points in Pennsylvania.

FOLDER 4, Am-H:

To transport, as a common carrier, groups and parties of persons on special excursions and tours or sightseeing trips between the City of Greensburg and the Westmoreland-Somerset County Line and points within an airline distance of five (5) statute miles thereof to points beyond an airline distance of twenty (20) statute miles of the point of origin and within an airline distance of fifty (50) statute miles of the point of origin.

subject to the following condition:

That no right, power or privilege is granted to transport groups and parties of persons and persons on special excursions and tours or sightseeing trips from the borough of Ligonier or the townships of Ligonier and Cook, Westmoreland County.

FOLDER 4, Am-I:

To transport, as a common carrier, groups and parties of persons on special excursions and tours or sightseeing trips from the borough of Franklin and the township of Penn., Westmoreland County, to points in Pennsylvania and return to the point of origin; excluding service from the borough of Franklin, Westmoreland County to points in the counties of Allegheny and Westmoreland; and from the township of Penn., Westmoreland County to points within an airline distance of fifty (50) statute miles of the point of origin.

FOLDER 4, Am-J:

The transportation of groups and parties of persons and persons on special excursions and sightseeing tours from points in the boroughs of Ligonier, Scottdale, Arona, Madison in Westmoreland County and points in the townships of Sewickley, South Huntingdon, Cook, and; that portion of Ligonier Township on and south of U.S. Route 30, that portion of Hempfield Township on and south of the Pennsylvania Turnpike (Interstate Highway 76) from the western boundary of Hempfield Township to the borough of New Stanton; that portion of East Huntingdon Township situated more than an airline distance of two miles south of Route 31; that portion of Mt. Pleasant Township situated more than an airline distance of two miles north of the Pennsylvania Turnpike and east of Route 581 and Legislative Route 64145,

subject to the following conditions:

(1) That no right, power or privilege is granted to transport groups and parties of persons and persons on special excursions, tours and sightseeing trips from points within that portion of Hempfield Township on and south of the Pennsylvania Turnpike between the western boundary of Hempfield Township and the borough of New Stanton to points in Somerset County.

FOLDER 4, Am-K:

To transport groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the county of Allegheny to points in Pennsylvania, and return; subject to the following conditions:

That no right, power or privilege, is granted to transport groups and parties of persons and persons on special excursions and tours, or sightseeing trips, between points in the county of Allegheny, except as otherwise authorized;

That no right, power or privilege, is granted to transport groups and parties of persons and persons on special excursions and tours, or sight-seeing trips from points in the county of Allegheny to points within forty (40) statute miles of the City-County Building, in the city of Pittsburgh.

FOLDER 4, Am-L:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the county of Somerset, to points in Pennsylvania.

SCOPE OF OPERATIONS (Concluded)FOLDER 4, Am-M:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the boroughs of Cherry Tree, Clymer, Glen Campbell, Marion Center, Plumville, and Smicksburg, and the townships of Banks, Canoe, East Mahoning, East Wheatfield, Grant, Montgomery, North Mahoning, South Mahoning, West Mahoning, and West Wheatfield, Indiana County, and the counties of Blair and Cambria, to points in Pennsylvania.

FOLDER 4, Am-N:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, between points in that part of the county of Butler lying south of the northern boundaries of the townships of Jackson, Forward, Penn, Jefferson and Winfield, to include all of the borough of Connoquenessing and points in the county of Westmoreland, and from points in the said territory to points in Pennsylvania.

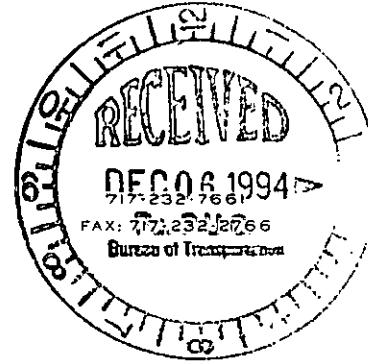
subject to the following condition:

That no right, power or privilege is granted to provide service from points in the township of Rostraver, the boroughs of Sutersville, West Newton, Smithton and North Belle Vernon, and the city of Monessen, Westmoreland County.

THE END

CALDWELL & KEARNS
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

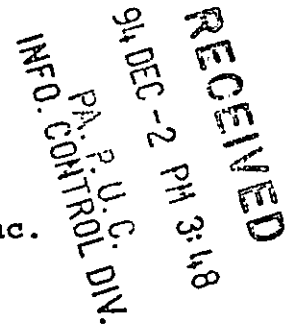
3631 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17110-1533



THOMAS D. CALDWELL, JR.
RICHARD L. KEARNS
CARL G. WASS
JAMES R. CLIPPINGER
CHARLES J. DEHART, III
JAMES D. CAMPBELL, JR.
JAMES L. GOLDSMITH
TIMOTHY I. MARK
JAMES G. NEALON, III
MATTHEW R. GOVER
DEBORAH A. CAVACINI
TIMOTHY W. ROMBERGER

December 1, 1994

John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120



Re: Application of Tri-County Transportation, Inc.
t/d/b/a Happy Times Charter, Inc.
Docket No. A-00107235, F.1, Am-C

Dear Secretary Alford:

Please find enclosed herewith the original and two (2) copies of a Protest filed by Fullington Auto Bus Company, Inc. to the above-captioned matter.

A copy has been served upon Applicant's counsel as indicated below.

Sincerely,

JDC Jr
James D. Campbell, Jr.
CALDWELL & KEARNS

JDCJr:njd

Enclosure

cc: Lawrence L. Davis, Esquire
J. Richard Fullington, Sr.

41564.1

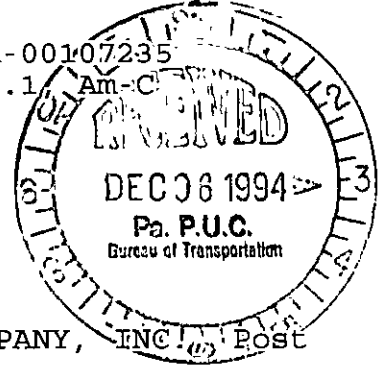
DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
9th DEC - 2 PM 3:18
PA. P.U.C. DIV. OF INFO. CONTROL

In Re: Application of
Tri-County Transportation
t/d/b/a Happy Times Charter, Inc.

* A-00107235
* F.1. Am-C
*



PROTEST

1. AND NOW, comes FULLINGTON AUTO BUS COMPANY, INC. Post Office Box 211, Clearfield, Pennsylvania 16830, (814) 765-7871 and protests the above Application.

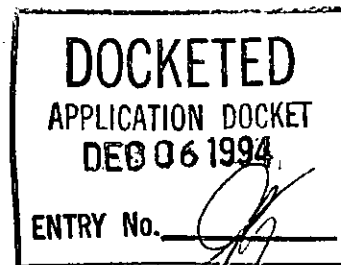
2. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the travelling public in the territory involved in this Application.

3. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

4. Approval of the Application would be contrary to the public interest.

5. Your Protestant holds operating authority docketed to A-00009329. A copy of said authority is attached hereto as Exhibit "A", and made a part hereof.

DOCUMENT
FOLDER

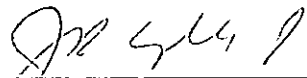


6. Protestant is not aware of any amendment which would satisfy its interest but is willing to discuss the same with Applicant or Applicant's counsel.

7. Pursuant to Section 333(c) of the Public Utility Law, Protestant request Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the supporting organizations they will represent, at least ten (10) days prior to the commencement of evidentiary hearings in this case.

WHEREFORE, FULLINGTON AUTO BUS COMPANY, INC. respectfully prays that the above Application be dismissed.

FULLINGTON AUTO BUS COMPANY, INC.

By: 
James D. Campbell, Jr., Esquire
CALDWELL & KEARNS
3631 North Front Street
Harrisburg, PA 17110

Dated: December 1, 1994

P.U.C. A9329 Folder 19

To transport, as a common carrier, groups or parties of persons to special excursions and to tour or sightseeing trips, all of which transportation originates at or in Clearfield, Tyrone, Shawville, Surveyor, LeContes Mills, Frenchville, Keewaydin, Karthaus, Croft and Bald Hill, Clearfield County, Philipsburg, Osceola Mills, Houtzdale, Hawk Run, Morrisdale, Winburne, Cooper's School, Madera, Ramey and Sandy Ridge, Centre County.

Folder 19, Am-A

To transport, as a common carrier, groups or parties of persons and persons on special excursions and tour or sightseeing trips from points in the City of Altoona, the Borough of Bellwood and the Townships of Logan, Antis, Snyder and Tyrone, Blair County, to points in Pennsylvania, excluding transportation from any point in the City of Altoona and the Township of Logan to any point in the City of Altoona and the Township of Logan, Blair County.

Folder 19, Am-B

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Township of Rush, Centre County to points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to use passenger automobiles or limousines in the rendition of the service herein authorized.

Folder 19, Am-C

To transport, as a common carrier by motor vehicle, groups and parties of persons from the Borough of State College, Centre County, to points within an airline distance of fifty (50) miles of the said borough.

PENNSYLVANIA INTRASTATE SCOPE OF OPERATIONS - Continued

Folder 19, Am-D

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Boroughs of Brisbin, Burnside, Chester Hill and Wallaceton and the Townships of Boggs, Bradford, Cooper, Gulich, Huston, Knox, Pike, Union, and Woodward, Clearfield County to points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to render service from points in the Townships of Gulich, Knox, and Woodward located within fifteen (15) miles by the usually traveled highways of the limits of the Borough of Coalport to points within fifty (50) miles of the point of origin.

Folder 19, Am-E

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Township of Warriors Mark, Huntingdon County, to points in Pennsylvania.

Folder 19, Am-F

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Townships of Karthaus, Lawrence, Pine, Goshen, Girard, Covington, Graham, Morris, and Decatur, Clearfield County, and the Boroughs of Snow Shoe and Port Matilda and the Townships of Burnside, Huston, Half Moon, Snow Shoe, Taylor and Worth, Centre County, to points in Pennsylvania, and return.

Folder 19, Am-G

To transport, as a common carrier, groups and parties of persons and persons on tours or sightseeing trips from points in the Borough of State College and the Township of Ferguson; Centre County, to points in Pennsylvania, expressly excluding special excursions.

Folder 19, Am-H

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Townships of College, Harris and Patton, Centre County, to points in Pennsylvania.

Folder 19, Am-J

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Borough of Loganton and the Townships of Logan and Greene, Clinton County, to points in Pennsylvania.

PENNSYLVANIA INTRASTATE SCOPE OF OPERATIONS - Continued

Folder 19, Am-K

To transport, as a common carrier by motor vehicle groups and parties of persons on special excursions and tours or sightseeing trips from points in the Borough of Ridgway and the Township of Ridgway, Elk County, to points in Pennsylvania.

Folder 19, Am-L

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the Borough of Mifflintown, Juniata County, and from points in the Borough of New Bloomfield, Perry County, including the Carson Long Institute, to points in Pennsylvania; with the right to apply to the Commission for special permit to transport groups and parties of persons originating at and in the Borough of Thompsontown, Juniata County. (Formerly A. 64652, Folder 2).

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the Boroughs of Lewistown, McVeytown and Burnham and the Townships of Granville, Derry, Oliver, Brown, Armagh and Bratton, Mifflin County, to points in Pennsylvania. (Formerly A. 64652, Folder 2).

To transport, as a common carrier by motor vehicle, groups and parties of persons from the Boroughs of Mifflin and Port Royal and the Townships of Milford, Turbett, Walker and Fermanagh, Juniata County, to points in Pennsylvania. (Formerly A. 64652, Folder 2).

Folder 19, Am-M

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Boroughs of Curwensville, Grampian and Mahaffey and the Township of Bell, Clearfield County, to points in Pennsylvania.

Folder 19, Am-N

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the Boroughs of Huntingdon, Alexandria, Mill Creek, Mapleton, and Mt. Union, Huntingdon County, and the Townships of Morris, Porter, Smithfield, Juniata, Henderson, Brady, Union and Shirley, Huntingdon County, and the Township of Wayne, Mifflin County, to points in Pennsylvania.

Folder 19, Am-O

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Borough of Coalport and points in the Township of Beccaria, Clearfield County, to various points and places in Pennsylvania.

PENNSYLVANIA INTRASTATE SCOPE OF OPERATIONS - Concluded

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips from points in the Townships of White and Reade, Cambria County, to points in Pennsylvania, excluding Prince Gallitzin State Park in White Township as a point of origin.

Folder 19, Am-P

To transport as a common carrier persons in tours or sightseeing trips, as defined in 52 Pa. Code Section 29.16(3), from the boroughs of Millheim and Centre Hall and the townships of Haines, Penn, Miles and Gregg, Centre County, to points and places in Pennsylvania. (C)

(C) Indicates change or addition

1. To transport, as a common carrier, by motor vehicle, groups and parties of persons, from the city of DuBois, boroughs of Curwensville, Clearfield, Grampian, Mahaffey and the village of Sabula, Clearfield County, the boroughs of Falls Creek, Punxsutawney, and Big Run and the village of Anita, Jefferson County, the boroughs of Indiana and Marion Center, Indiana County, to points in Pennsylvania;
2. To transport, as a common carrier, groups and parties of persons from the boroughs of Vandergrift, Westmoreland County, and Apollo, Armstrong County, to various points and places in Pennsylvania;
3. To transport, as a common carrier, groups and parties of persons and persons on special excursions and tour or sightseeing trips from the boroughs of Brockway and Sykesville, Jefferson County, Clymer, Indiana County and the village of Luthersburg, Clearfield County, to various points and places in Pennsylvania;
4. To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the counties of Clearfield, Indiana and Jefferson situated on, and within an airline distance of five (5) statute miles of the following routes, to points in Pennsylvania, and return, said routes being described as follows:

Beginning at the Clarion-Jefferson County line west of Corsica, thence on U.S. Highways 322 and 119 to the city of DuBois, Clearfield County, thence on U.S. Highway 219 and Pennsylvania Highway 879 (formerly U.S. Highway 322) to the borough of Clearfield, thence on U.S. Highway 322 to the Clearfield-Centre County line west of Philipsburg.

Beginning at the Armstrong-Indiana County line west of Shelocta, thence on Pennsylvania Highway 156 and U.S. Highway 422 to the borough of Indiana, Indiana County, thence on Pennsylvania Highway 286 (formerly Pennsylvania Highway 80) through Clymer to Dowler Junction, thence via U.S. Highway 219 to Grampian, Clearfield County.

Beginning at the junction of Pennsylvania Highways 286 (formerly Pennsylvania Highway 80) and 403 (formerly Pennsylvania Highway 480) near Clymer, thence on Pennsylvania Highway 403 to Dixonville to Marion Center, Indiana County (junction of U.S. Highway 119 and Pennsylvania Highway 403), thence on U.S. Highway Route 119 to the city of DuBois, Clearfield County, thence on U.S. Highway Route 219 to the Jefferson-Elk County line north of Crenshaw.

Beginning in the city of DuBois, Clearfield County, thence on Pennsylvania Highway 255 to the Clearfield-Elk County line north of Tyler.

Beginning in the borough of Indiana, Indiana County, thence on U.S. Highway 119 to the borough of Marion Center, Indiana County.

with right No. 4 above subject to the following conditions:

- (a) Except as previously authorized, no right, power or privilege is granted to render service from points in the county of Clearfield, except those points in the townships of Burnside, Chest, Ferguson, Greenwood, Penn, Bloom, Brady, and Sandy, and in the boroughs of Newburg, New Washington and Troutville, which lie within an airline distance of five (5) statute miles of the above described routes.
- (b) That no right, power or privilege is granted to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours of sight-seeing trips from the boroughs of Reynoldsville, Brookville, and Corsica, Jefferson County, to points in Pennsylvania.

•Folder 19, Am-R

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the counties of Cambria and Blair (except the city of Altoona, the borough of Bellwood and the townships of Logan, Antis, Snyder and Tyrone) to points in Pennsylvania.

Certificate No. A-9329, Folder 19, Am-S:

1. To transport, as a common carrier, groups and parties of persons, which originate at or in the Borough of Clarion, Clarion County, the City of Oil City, Venango County, the Boroughs of Mansfield and Blossburg and Tioga, Tioga County, to points and places in Pennsylvania, and return;

with right No. 1 above subject to the following conditions:

- (a) That the minimum number of persons to be transported on any trip or trips shall be ten.
 - (b) That no right, power or privilege is granted to transport groups or parties of persons from Clarion to Franklin, Polk, Reno and Raymilton, except athletic teams.
 - (c) That no right, power or privilege is granted to transport groups or parties of persons between the City of Oil City and Franklin.
2. To transport, as a common carrier, groups and parties of persons, persons on special excursions and tour or sight-seeing trips from the Boroughs of Bellefonte, Milesburg and State College, and the Village of Pleasant Gap, Centre County, to other points or places in Pennsylvania, and return.
 3. To transport, as a common carrier, groups and parties of persons and persons on special excursions and tour or sightseeing trips, from the Boroughs of Howard and Unionville and the Townships of Spring, Benner, Walker, Boggs, Union, Marion, and Howard, Centre County, to points in Pennsylvania, and return.
 4. To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the county of Clinton, situated on, and within an airline distance of five (5) statute miles of its regular routes to points in Pennsylvania and return, such regular routes being described as follows:

From the Centre-Clinton County line over PA Highway Route 150 to PA Highway Route 120 to the intersection with U.S. Highway Route 220, to the Clinton-Lycoming County lines.

3. That the Application of Fullington Auto Bus Company at Docket No. A-00009329, F-019, Am-T be, and is hereby, approved and that the certificate issued to Applicant at Docket No. A-00009329, F019 on June 1, 1990, as amended, be further amended to include the following rights:

To transport, as a common carrier by motor vehicle, persons in group and party service, for Penn-

sylvania State University, between points in Pennsylvania

ORIGINAL

LAW OFFICES
DAVIS AND DAVIS

103 SOUTH CENTER STREET
EBENSBURG, PA
15931 - 0064

CLARENCE E. DAVIS (1887-1973)
LAWRENCE L. DAVIS

TELEPHONE: (814) 472-9740
FAX: (814) 472-9750

May 25, 1995

DOCUMENT
FOLDER

RECEIVED
95 MAY 30 PM 2:36
PA. P. U. C.
INFO. CONTROL DIV.

Attn. John G. Alford,
Secretary
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: A-00107235
F.1 Am-C
Tri-County Transportation, Inc.
t/a Happy Times Charter

Dear Sir:

On September 22, 1994, we wrote to you concerning an Extension relative to the filing of a Tariff Am-B to the above certificate. A copy of that letter is enclosed.

On October 13, 1994, we received a letter from the Commission relative to this tariff. Upon receipt of this letter, I called Mr. Dove on October 18, 1994 and he advised that as long as we did not intend to exercise the rights granted under Am-B the filing of the new Tariff could be delayed pending action by the Commission on the application Am-C.


Subsequent to the filing of the Am-C, we received letters of protest on December 3, 1994, on behalf of Fullington Auto Bus Company, Inc.; on November 18, 1994 on behalf of McIlwain Charters, Inc.; and on December 3, 1994 on behalf of Blue & White Lines, Inc. and Lincoln Coach Lines.

Kindly advise the present status of this matter.

DOCKETED
JUN 01 1995

Very truly yours,

DAVIS AND DAVIS


Lawrence L. Davis

LLD/dw

Enclosure
pc: Tri-County Transportation, Inc.